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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JEFFREY A. AARON and ROBERT E. WRIGHT

Appeal 2008-1863
Application 10/675,517
Technology Center 2100

Decided:¹ February 20, 2009

Before JAMES D. THOMAS, JOSEPH L. DIXON,
and JAY P. LUCAS, *Administrative Patent Judges*.

THOMAS, *Administrative Patent Judge*.

DECISION ON APPEAL

¹ The two-month time period for filing an appeal or commencing a civil action, as recited in 37 CFR § 1.304, begins to run from the decided date shown on this page of the decision. The time period does not run from the Mail Date (paper delivery) or Notification Data (electronic delivery).

STATEMENT OF THE CASE

This is an appeal under 35 U.S.C. § 134(a) from the Examiner's final rejection of claims 1 through 20. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

INVENTION

Appellants' invention is directed to collecting and handling information relating to authorized individuals, their authorized privileges, and their accessing equipment and equipment spaces in conjunction with alerting an individual that another individual's scope of privileges has been accessed. (Spec. [0005]).

REPRESENTATIVE CLAIM

1. A method of outputting an alert that an unauthorized event has occurred, the method comprising:

obtaining a status from a sensor;

retrieving personnel information comprising identity and status information for the personnel from a database, the personnel information relating to the sensor;

generating the alert;

applying a filter to determine whether to modify a severity of the alert; and

outputting the alert.

PRIOR ART AND EXAMINER'S REJECTION

Vinberg	US 2003/0023722 A1	Jan. 30, 2003
Sands	US 2004/0148526 A1	Jul. 29, 2004
	(Filing date Jan. 24, 2003)	

Claims 1 through 20 stand rejected under 35 U.S.C. § 103. As evidence of obviousness, the Examiner relies upon Vinberg in view of Sands.

CLAIM GROUPING

Based on Appellants' arguments in the principal Brief on appeal, we will decide the appeal on the basis of independent claim 1, since the Brief alleges corresponding subject matter is present in independent claims 1, 10, and 18. They are all argued collectively. No other claim is argued.

ISSUE

Have Appellants shown that the Examiner erred in finding that the combination of Vinberg and Sands teaches the feature of "retrieving personnel information comprising identity and status information for the personnel from a database" as recited in representative claim 1 on appeal and correspondingly recited in independent claims 10 and 18?

FINDINGS OF FACT

1. The biometric authentication server software block 140 in figure 1 of Sands is shown in greater detail in figure 2 such as to include database 205. Figure 3 shows a biometric profile associated with every user's ID. Paragraph [0053] teaches that this biometric profile is stored in the same database 205 and that "the database stores biometric measurements for the user taken by one or more devices present on the network that the user needs to access."

2. As set forth at the bottom page 5 of the principal Brief on appeal “Appellants acknowledge that Sands discloses storing a user’s biometric profile in a database.” The Reply Brief also states at the top of page 2 “[a]s explained on page 5 of the Brief, Appellants acknowledge that Sands discloses storing a user’s biometric profile in a database that may reside, for example, in storage media 205 shown in FIG. 2. (Sands, Paragraphs 50, 53, and 69).”
3. In paragraph [0054] of Sands it is stated “[t]he enrollment officers may also configure a user’s network access privileges and other information and may modify a user’s profile or delete a user altogether. In this manner, the enrollment manager controls which users are allowed to use the system and stores the biometric profiles of all users in the enrollment database.”
4. The Examiner’s statements to the contrary notwithstanding, Vinberg’s figure 1B shows the topology of the management system that includes an object repository 110 that stores all the objects for consideration in this patent as expressed in paragraph [0023]. Figure 2 in turn shows in the right portion this object repository 110.
5. Collectively taken, figures 3A-3C of Vinberg show various categories of system objects or data structures, network related individual component devices, status, and group associations. As illustrated in these figures and discussed in paragraphs [0034 – 0036], these group associations include identifications by operator ID or work station ID, for example, having being construed as relating to groups of people such as AR relating to account receivable business groups. The figures show a correlation and status of

individuals or groups of individuals to the system of events and devices and the importance or severity or risk of failure of the system or parts of it to the overall mission of the system.

ANALYSIS

Based on Appellants' arguments presented at the top of page 6 of the principal Brief on appeal, Appellants do not argue that Vinberg and Sands are not properly combinable within 35 U.S.C. § 103, only that the combination of them does not yield all the recitations of independent claims 1, 10, and 18 on appeal. As noted earlier, the focus of the arguments is upon the sole feature of representative independent claim 1 on appeal relating to the relationship of a database storing personnel information comprising their identity and status information. No other feature recited in representative independent claim 1 on appeal is argued not to be present in the combination of teachings.

To the extent argued in the Brief and Reply Brief, the claimed feature of "retrieving personnel information comprising identity and status information for the personnel from a database" does not require the recitation of the information to be in the same database or the same memory for that matter.

Contrary to the positions taken at page 5 of the principal Brief and page 2 of the Reply Brief, Findings of Facts 1 through 3 clearly indicate that the disabled/not-disabled status for a user is stored in the same database. The discussion of paragraphs [0053-0054], and the showing in figure 3 of

the biometric profile of every individual by ID number clearly indicate user accessibility to particular devices including access privileges or the absence of them in database 205. An access privilege clearly is consistent with Appellants' own use of "status information" in dispute in the representative independent claim 1 on appeal and even as disclosed in paragraphs [0023-0024] to include authorized access zones.

Thus, we disagree with Appellants' views that the claimed arrangement of information within a database is not taught in Sands. Our conclusion with respect to this reference is buttressed by the actual teachings and showings in Vinberg as well, as the artisan would well appreciate from the discussion in Findings of Facts 4 and 5. The artisan would have appreciated that the broadly defined "status information" of the claims on appeal is also taught and shown by Vinberg.

CONCLUSION OF LAW

Appellants have not shown that the Examiner erred in finding that the combination of Vinberg and Sands teaches the sole disputed feature of "retrieving personnel information comprising identity and status information for the personnel from a database" as recited in representative independent claim 1 on appeal.

DECISION

The Examiner's rejection under 35 U.S.C. § 103 of claims 1 through 20 over the combination of Vinberg and Sands is affirmed. Claims 1 through 20 are not patentable.

Appeal 2008-1863
Application 10/675,517

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. §1.136(a). See 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED

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